



Joseph J. Syta  
Vice President – Controller & Treasurer

May 20, 2019

**VIA ELECTRONIC FILING**

Honorable Kathleen H. Burgess  
Secretary  
State of New York  
Public Service Commission  
Three Empire State Plaza  
Albany, New York 12223-1350

Re: Case 19-E - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of New York State Electric & Gas Corporation for Electric Service

Case 19-G - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of New York State Electric & Gas Corporation for Gas Service

Case 19-E - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Rochester Gas and Electric Corporation for Electric Service

Case 19-G - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Rochester Gas and Electric Corporation for Gas Service

Dear Secretary Burgess:

New York State Electric & Gas Corporation (“NYSEG”) and Rochester Gas and Electric Corporation (“RG&E” and together with NYSEG, the “Companies”) submit these rate filings in accordance with the requirements of the New York Public Service Commission (“Commission”) to set revised rates for electric and gas service in their respective service territories. As demonstrated in the supporting testimony and exhibits, the proposed rates enable the Companies to continue to provide safe and reliable electric and gas service along with high quality customer service.

The proposed rates also facilitate the Companies' transition to a cleaner energy future while allowing for important initiatives such as vegetation management, hardening/resiliency and emergency preparedness. The filings demonstrate the Companies' continued commitment to improving system operations, providing customers with enhanced access to usage information and renewable energy, energy efficiency and other initiatives.

The Companies' filings also achieve the essential balance between the need for investments in electric and gas infrastructure with the important objective of maintaining customer rates that are affordable and among the lowest in New York.

Our proposed capital investments further modernize the Companies' systems and networks, allowing the Companies to facilitate New York's clean energy mandates. For example, the Companies' non-wires initiatives address areas of increased demand in a manner that is supportive of renewable energy. To enable customers' informed choices about their energy consumption, and to provide a foundation for other initiatives, these filings also include a proposal for system-wide implementation of advanced metering infrastructure ("AMI"). Additionally, these filings support substantial energy efficiency initiatives.

The Companies' filings also include the following current and proposed EV Projects: DC Fast Charger Pilot Project; Smart Home Rate REV Demonstration Project; and EV and Battery Storage REV Demonstration Project. Finally, the Companies propose four additional Energy Storage projects, two in NYSEG's territory and two in RG&E's territory.

### **Overview of the Companies' Rate Case Filings**

The Companies' rate filings are based on test year 2018 financial results adjusted to the rate year April 1, 2020 – March 31, 2021 ("Rate Year"). Since the Companies are submitting this filing on May 20, 2019, the effective date of new rates, assuming an approximately 11-month suspension period, will be April 20, 2020.

The Companies' filings demonstrate the need and provide support for delivery rate increases for each business. Table 1 below provides a summary of the proposed delivery rate increases, delivery revenue percentages and total revenue percentages for all four businesses.<sup>1</sup> The percentage values for Delivery Revenues shown in Table 1 below do not include the impact of moving Energy Efficiency program costs from a surcharge to delivery rates, as these program costs are already part of customers' bills.

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<sup>1</sup> Total revenue reflects the inclusion of Supply Revenue provided by each business and Energy Service Companies ("ESCOs"). The ESCO supply revenue is based on the 2018 average costs of supply provided by each business times the energy units served by ESCOs.

Table 1: Rate Increase Amounts and Revenue Percentages

<b>Rate Increase Amounts and Revenue Percentages</b>			
<b>Business</b>	<b>Requested Revenue Increase - \$000</b>	<b>Delivery Revenue Percentage</b>	<b>Total Revenue Percentage</b>
NYSEG Electric	\$ 156,667	20.4%	10.4%
NYSEG Gas	6,284	3.0%	1.4%
RG&E Electric	31,677	7.0%	4.1%
RG&E Gas	5,813	3.3%	1.4%

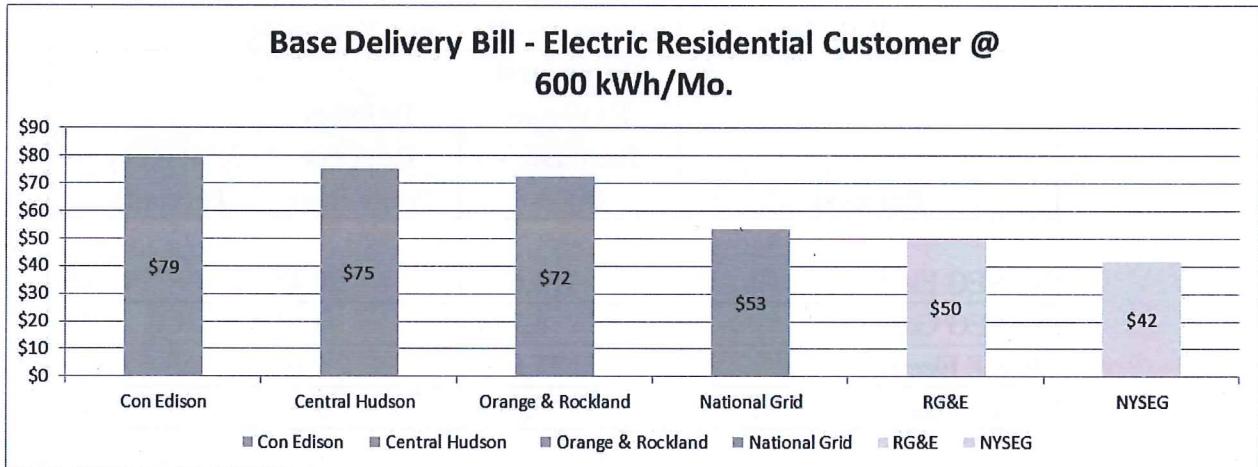
At NYSEG Electric, the largest driver for the requested rate increase is vegetation management, including implementation of a full cycle distribution vegetation management program and enhanced vegetation management associated with the Companies' 2019-2023 Resiliency Plan ("Resiliency Plan"). NYSEG's proposed distribution vegetation management plan represents approximately one-third of the requested revenue increase. NYSEG is the only major electric company in New York that is not on a full-cycle distribution vegetation management program. As the Companies' Vegetation Management and Electric Reliability and Operations Panels identify, tree-related outages are the number one cause of electric service disruptions during and outside of storm events. NYSEG Electric is requesting approval to reclaim thousands of miles of overhead distribution lines from encroaching vegetation and to implement selective enhanced vegetation management.

NYSEG and RG&E Electric have the lowest average residential customer base delivery bills in New York. Additionally, NYSEG Electric's current delivery bills are approximately 19% lower than RG&E, 26% lower than National Grid and at least 71% lower than Central Hudson, O&R and Con Edison (all of which provide service in areas contiguous with NYSEG's service territory). Table 2 is a comparison of average residential electric delivery bills for the major New York utilities.<sup>2</sup>

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<sup>2</sup> Table 2 reflects Base Delivery Rates contained in each respective utility's rate plans for the rate year beginning April 2020. Table 2 does not reflect the pending Con Edison rate case. The average base delivery bills do not reflect surcharges, such as the Transition Charge and SBC Clean Energy Fund, but do include energy efficiency (including the current EE tracker for NYSEG and RG&E). NYSEG and RG&E bills also include the RAM charge.

Table 2: Average NY Residential Electric Delivery Bills

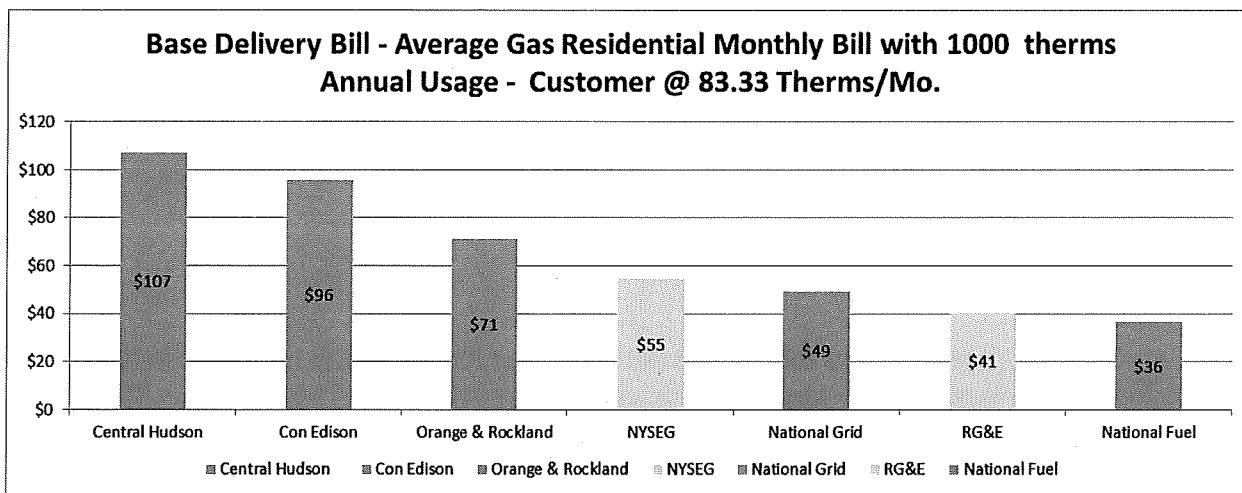


RG&E Electric's delivery rate increases are driven by increases in operating expenses, depreciation and infrastructure investments. These costs increases are partially offset by the amortization of net deferred regulatory liabilities and Tax Act savings.

At NYSEG Gas and RG&E Gas the delivery rate increases are primarily associated with O&M increases, depreciation and infrastructure investments. Regulatory liabilities and Tax Act savings moderate the rate increases. On October 1, 2018, NYSEG Gas and RG&E Gas reduced delivery rates by approximately 4.3% and 4.1% to reflect portions of the Tax Act savings, as required by the Commission. It is notable that the gas rate increases sought in these filings for both NYSEG and RG&E are smaller than the already implemented reductions resulting from the Tax Act. Had the implementation of the Tax Act offsets corresponded with the start of the proposed Rate Year, there would have been little or no gas delivery rate increases proposed.

NYSEG and RG&E Gas have among the lowest average residential gas rates of the major New York utilities. Table 3 below provides a comparison of average residential gas bills.

Table 3: Average NY Residential Gas Delivery Bills



Average Residential Customer Bill Increases

Table 4 below illustrates the monthly average residential customer bill increases being proposed in these rate case filings. The average residential customer bill increase percentages differ from the revenue increase percentages because of revenue allocation that is guided by cost of service studies and the Companies' proposed rate design. The average residential customer bill increases are without energy efficiency costs being moved into base delivery rates. The Companies' Revenue Allocation and Rate Design Panel presents residential customer bill increases including energy efficiency.

Table 4: Monthly Average Residential Customer Bill Increases<sup>3</sup>

Monthly Average Residential Customer Bill Increases			
Business	Monthly Average Bill Increase	Delivery Bill Percentage	Total Bill Percentage
NYSEG Electric	\$ 10.17	23.7%	13.6%
NYSEG Gas	\$ 1.05	1.9%	0.9%
RG&E Electric	\$ 2.86	5.4%	3.0%
RG&E Gas	\$ 1.56	4.0%	2.2%

<sup>3</sup> Average electric residential customer bill impacts are based on 600 kwh per month. Average gas residential customer bill impacts are based on 80 therms per month.

**Major Aspects of the Rate Case Filings**

The Companies' rate case filings demonstrate the need and provide support for the investments and proposals to: continue to provide safe and reliable service; transition our system in support of the State's energy goals; support initiatives and programs to enhance customers' ability to manage their energy consumption; and strengthen the Companies' systems through hardening/resiliency initiatives so that the Companies have the necessary resources to meet customers' energy needs.

**Resiliency Plan**

The Companies' filings include a Resiliency Plan that sets forth planned capital investments and expenses that target specific circuit improvements. The Resiliency Plan includes the following: a) enhanced vegetation management; b) hardening; and c) topology with automation on prioritized circuits. A detailed Benefit Cost Analysis for the Resiliency Plan is included in the filing and demonstrates the benefits of implementing the plan.

**Vegetation Management**

As discussed previously, the Companies' filings focus on vegetation management, particularly via implementation of a full-cycle distribution vegetation management program for NYSEG, while maintaining RG&E's full-cycle distribution program.

**Energy Efficiency Program Costs**

For both NYSEG and RG&E, the Commission has provided guidance to transition energy efficiency cost recovery from a surcharge to base rates. In addition to the shift of costs into base rates of existing energy efficiency surcharges, the Companies recognize that the Commission has directed significant increases in energy efficiency programs that will require additional funding and resources in the 2021 – 2025 period.

**Emergency Preparedness**

Following several significant weather events and in response to recommendations from the Companies' most recent management audit, the Companies have developed a Storm Response Improvement Project. Additionally, in response to the 2018 Staff Storm Report,<sup>4</sup> the Companies have accepted all 77 applicable recommendations, a few with some proposed minor modifications. The Companies' implementation plans for each applicable recommendation are being submitted contemporaneously to the Commission. The Companies also propose in these rate cases initiatives that are supportive of the 2018 Staff Storm Report recommendations including: vegetation management; electric operations staffing; and the Resiliency Plan.

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<sup>4</sup> Case 19-M-0285 2018 Winter and Spring Storms Investigation, Staff Report filed April 18, 2019.

**Investment in Infrastructure**

The Companies' Capital Plans include investments of \$466 million for NYSEG Electric and \$284 million for RG&E Electric in 2019, as well as \$642 million for NYSEG Electric and \$375 million for RG&E Electric in 2020. For the gas businesses, the Companies' Capital Plans include investments of \$95 million for NYSEG Gas and \$68 million for RG&E Gas in 2019, as well as \$134 million for NYSEG Gas and \$103 million for RG&E Gas in 2020.

**AMI Investment**

In these filings, the Companies propose full deployment of AMI throughout their respective service areas. As demonstrated in the Companies' testimony, AMI is an essential foundation for grid modernization and for achieving the Commission's and New York State's grid and energy objectives. Additionally, detailed AMI data provides customers with usage data needed to better manage their consumption and their consumption budgets. AMI will include: 1) installation of approximately 1.9 million smart devices comprised of 1.3 million new electric meters and modules to be retrofitted on approximately 600,000 existing gas meters; (2) support of a telecommunications network that will include diverse media solutions; and (3) availability of information technology infrastructure and software applications to process data and interact with field devices. The network will provide a telecommunications channel for DER and Demand Response. A detailed Benefit Cost Analysis for AMI is included in the filings.

**Proposed Rate Plan Term**

These rate filings reflect one-year rate cases for NYSEG and RG&E electric and gas service. The Companies believe that multi-year settlements can be in the public interest by allowing effective long-range planning, while avoiding annual rate case expense. The Companies are interested in engaging in settlement discussions and will be providing additional multi-year data to support the settlement process.

**Information Accompanying This Rate Filing**

The Companies are contemporaneously transmitting revised Tariff Leaves electronically to the Commission. The Tariff Leaves have an issue date of May 20, 2019 and an effective date of June 19, 2019. The Companies expect that the Commission will suspend the effective dates of the proposed Tariff changes such that the proposed rates and other changes will become effective on April 20, 2020.

The Companies have also included draft Notices of Proposed Rulemaking in the form required by the State Administrative Procedure Act and the Commission's form regarding consent to receive electronic-only service of Commission orders.

**Conclusion and Public Notice**

The prepared written testimony and exhibits constitute the Companies' direct case in support of these rate filings. The testimony, exhibits and tariffs submitted with these filings explain the reasons for and nature of the Companies' proposed changes to their rates and services.

The Companies respectfully request that, in the absence of agreement of the parties, the Commission approve the changes to become effective on and as of April 20, 2020. Newspaper publication will be made in accordance with §66(12) of the Public Service Law and 16 NYCRR §720-8.

Respectfully submitted,



Joseph J. Syta

Enclosure

cc: New York State Department of State, Utility Intervention Unit (via email)  
Active Parties to Cases 15-E-0283 et al. (via email)

## Notice of Proposed Rule Making (Rate Making only)

(SUBMITTING AGENCY)

**NOTE:** Typing and submission instructions are at the end of this form. Please be sure to COMPLETE ALL ITEMS. Incomplete forms will be cause for rejection of this notice change in text.

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1. *Proposed action:*

See attached.

2. *Statutory authority under which the rule is proposed:*

See attached.

3. *Subject of the rule:*

See attached.

4. *Purpose of the rule:*

See attached.

5. *Public hearings* (check box and complete as applicable):

A public hearing is not scheduled. (SKIP TO ITEM 8)  
 A public hearing is required by law and is scheduled below. (**Note:** first hearing date must be at least 60 days after publication of this notice unless a different time is specified in statute.)  
 A public hearing is not required by law, but is scheduled below.

Time:

Date:

Location:


6. *Interpreter services* (check only if a public hearing is scheduled):

Interpreter services will be made available to hearing impaired persons, at no charge, upon written request to the agency contact designated in this notice.

## 7. Accessibility (check appropriate box only if a public hearing is scheduled):

All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Attached is a list of public hearing locations that are **not** reasonably accessible to persons with a mobility impairment. An explanation is submitted regarding diligent efforts made to provide accessible hearing sites.



## 8. Terms of rule (SELECT ONE SECTION):

A.  The full text of the rule is attached because it does not exceed 2,000 words.

B.  A summary of the rule is attached because the full text of the rule exceeds 2,000 words. Web posting of full text of such rule is not required [SAPA §202(1)(a)].

C.  Pursuant to SAPA §202(7)(b), the agency elects to print a description of the subject, purpose and substance of the rule as defined in SAPA §102(2)(a)(ii) [Rate Making]. Web posting of full text of such rule is not required [SAPA §202(1)(a)].

## 9. The text of the rule and any required statements and analyses may be obtained from:

Agency contact Honorable Kathleen Burgess, Secretary

Agency Name New York Public Service Commission

Office address Three Empire State Plaza, Agency Building 3

Albany, New York 12223

Telephone (518) 474-6530      E-mail: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

## 10. Submit data, views or arguments to (complete only if different than previously named agency contact):

Agency contact \_\_\_\_\_

Agency name \_\_\_\_\_

Office address \_\_\_\_\_

Telephone \_\_\_\_\_      E-mail: \_\_\_\_\_

## 11. Public comment will be received until:

60 days after publication of this notice (MINIMUM public comment period).

5 days after the last scheduled public hearing required by statute (MINIMUM, with required hearing).

Other: (specify) \_\_\_\_\_.

12. A prior emergency rule making for this action was previously published in the \_\_\_\_\_ issue of the *Register*, I.D. No. \_\_\_\_\_.

## 13. Additional matter required by statute:

Yes (include below material required by statute).

No additional material required by statute.

14. **Regulatory Agenda** [See SAPA §202-d(1)]:

This action was a Regulatory Agenda item in the following issue of the *State Register*\_\_\_\_\_.

This action was not under consideration at the time this agency's Regulatory Agenda was submitted for publication in the *Register*.

Not applicable.

15. **Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

16. **PUBLIC SERVICE COMMISSION ONLY:**

SAPA NO. \_\_\_\_\_

**AGENCY CERTIFICATION (To be completed by the person who PREPARED the notice.)**

I have reviewed this form and the information submitted with it. The information contained in this notice is correct to the best of my knowledge.

I have reviewed Article 2 of SAPA and Parts 260 through 263 of 19 NYCRR, and I hereby certify that this notice complies with all applicable provisions.

Name \_\_\_\_\_ Signature \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Date \_\_\_\_\_

**Please read before submitting this notice:**

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2. Rule making notices, with any necessary attachments (in MS Word), should be e-filed via the Department of State website.

## **Attachment to SAPA Notice**

### **Proposed Action:**

The New York State Public Service Commission is considering whether to approve, modify, or reject, in whole or in part, a proposal by New York State Electric & Gas Corporation (“NYSEG”) to make various changes in the rates, charges, rules and regulations contained in NYSEG’s Schedules for Electric Service – P.S.C. Nos. 119, 120, and 121.

### **Statutory Authority under which the Rule is Proposed:**

Public Service Law Sections 66(12).

### **Subject of the Rule:**

Major electric rate filing.

### **Purpose of the Rule:**

To consider whether to approve, modify, or reject, in whole or in part, a proposal to increase annual base rate revenues for New York State Electric & Gas Corporation by approximately \$157 million, and to make other revisions to its Schedules for Electric Service – P.S.C. Nos. 119, 120 and 121.

### **Substance of Proposed Rule:**

The New York State Public Service Commission is considering whether to approve, modify, or reject, in whole or in part, a proposal to increase annual base rate revenues for New York State Electric & Gas Corporation by approximately \$157 million, and make other revisions to its Schedules for Electric Service – P.S.C. Nos. 119, 120, and 121.

## Notice of Proposed Rule Making (Rate Making only)

(SUBMITTING AGENCY)

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1. *Proposed action:*

See attached.

2. *Statutory authority under which the rule is proposed:*

See attached.

3. *Subject of the rule:*

See attached.

4. *Purpose of the rule:*

See attached.

5. *Public hearings* (check box and complete as applicable):

A public hearing is not scheduled. (SKIP TO ITEM 8)  
 A public hearing is required by law and is scheduled below. (**Note:** first hearing date must be at least 60 days after publication of this notice unless a different time is specified in statute.)  
 A public hearing is not required by law, but is scheduled below.

Time:

Date:

Location:


6. *Interpreter services* (check only if a public hearing is scheduled):

Interpreter services will be made available to hearing impaired persons, at no charge, upon written request to the agency contact designated in this notice.

## 7. Accessibility (check appropriate box only if a public hearing is scheduled):

All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Attached is a list of public hearing locations that are **not** reasonably accessible to persons with a mobility impairment. An explanation is submitted regarding diligent efforts made to provide accessible hearing sites.



## 8. Terms of rule (SELECT ONE SECTION):

A.  The full text of the rule is attached because it does not exceed 2,000 words.

B.  A summary of the rule is attached because the full text of the rule exceeds 2,000 words. Web posting of full text of such rule is not required [SAPA §202(1)(a)].

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Telephone (518) 474-6530      E-mail: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

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5 days after the last scheduled public hearing required by statute (MINIMUM, with required hearing).

Other: (specify) \_\_\_\_\_.

12. A prior emergency rule making for this action was previously published in the \_\_\_\_\_ issue of the *Register*, I.D. No. \_\_\_\_\_.

## 13. Additional matter required by statute:

Yes (include below material required by statute).

No additional material required by statute.

14. **Regulatory Agenda** [See SAPA §202-d(1)]:

This action was a Regulatory Agenda item in the following issue of the *State Register*\_\_\_\_\_.

This action was not under consideration at the time this agency's Regulatory Agenda was submitted for publication in the *Register*.

Not applicable.

15. **Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

16. **PUBLIC SERVICE COMMISSION ONLY:**

SAPA NO. \_\_\_\_\_

**AGENCY CERTIFICATION (To be completed by the person who PREPARED the notice.)**

I have reviewed this form and the information submitted with it. The information contained in this notice is correct to the best of my knowledge.

I have reviewed Article 2 of SAPA and Parts 260 through 263 of 19 NYCRR, and I hereby certify that this notice complies with all applicable provisions.

Name \_\_\_\_\_ Signature \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Date \_\_\_\_\_

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## **Attachment to SAPA Notice**

### **Proposed Action:**

The New York State Public Service Commission is considering whether to approve, modify, or reject, in whole or in part, a proposal by New York State Electric & Gas Corporation (“NYSEG”) to make various changes in the rates, charges, rules and regulations contained in NYSEG’s Schedules for Gas Service – P.S.C. Nos. 87, 88, and 90.

### **Statutory Authority under which the Rule is Proposed:**

Public Service Law Sections 66(12).

### **Subject of the Rule:**

Major gas rate filing.

### **Purpose of the Rule:**

To consider whether to approve, modify, or reject, in whole or in part, a proposal to increase annual base rate revenues for New York State Electric & Gas Corporation by approximately \$6 million, and to make other revisions to its Schedules for Gas Service – P.S.C. Nos. 87, 88, and 90.

### **Substance of Proposed Rule:**

The New York State Public Service Commission is considering whether to approve, modify, or reject, in whole or in part, a proposal to increase annual base rate revenues for New York State Electric & Gas Corporation by approximately \$6 million, and make other revisions to its Schedules for Gas Service – P.S.C. Nos. 87, 88, and 90.

## Notice of Proposed Rule Making (Rate Making only)

(SUBMITTING AGENCY)

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See attached.

2. *Statutory authority under which the rule is proposed:*

See attached.

3. *Subject of the rule:*

See attached.

4. *Purpose of the rule:*

See attached.

5. *Public hearings* (check box and complete as applicable):

A public hearing is not scheduled. (SKIP TO ITEM 8)  
 A public hearing is required by law and is scheduled below. (**Note:** first hearing date must be at least 60 days after publication of this notice unless a different time is specified in statute.)  
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Other: (specify) \_\_\_\_\_.

12. A prior emergency rule making for this action was previously published in the \_\_\_\_\_ issue of the *Register*, I.D. No. \_\_\_\_\_.

## 13. Additional matter required by statute:

Yes (include below material required by statute).

No additional material required by statute.

14. **Regulatory Agenda** [See SAPA §202-d(1)]:

This action was a Regulatory Agenda item in the following issue of the *State Register*\_\_\_\_\_.

This action was not under consideration at the time this agency's Regulatory Agenda was submitted for publication in the *Register*.

Not applicable.

15. **Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

16. **PUBLIC SERVICE COMMISSION ONLY:**

SAPA NO. \_\_\_\_\_

**AGENCY CERTIFICATION (To be completed by the person who PREPARED the notice.)**

I have reviewed this form and the information submitted with it. The information contained in this notice is correct to the best of my knowledge.

I have reviewed Article 2 of SAPA and Parts 260 through 263 of 19 NYCRR, and I hereby certify that this notice complies with all applicable provisions.

Name \_\_\_\_\_ Signature \_\_\_\_\_

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Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Date \_\_\_\_\_

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## **Attachment to SAPA Notice**

### **Proposed Action:**

The New York State Public Service Commission is considering whether to approve, modify, or reject, in whole or in part, a proposal by Rochester Gas and Electric Corporation (“RG&E”) to make various changes in the rates, charges, rules and regulations contained in RG&E’s Schedules for Electric Service – P.S.C. Nos. 18 and 19.

### **Statutory Authority under which the Rule is Proposed:**

Public Service Law Sections 66(12).

### **Subject of the Rule:**

Major electric rate filing.

### **Purpose of the Rule:**

To consider whether to approve, modify, or reject, in whole or in part, a proposal to increase annual base rate revenues for Rochester Gas and Electric Corporation by approximately \$32 million, and to make other revisions to its Schedules for Electric Service – P.S.C. Nos. 18 and 19.

### **Substance of Proposed Rule:**

The New York State Public Service Commission is considering whether to approve, modify, or reject, in whole or in part, a proposal to increase annual base rate revenues for Rochester Gas and Electric Corporation by approximately \$32 million, and make other revisions to its Schedules for Electric Service – P.S.C. Nos. 18 and 19.

## Notice of Proposed Rule Making (Rate Making only)

(SUBMITTING AGENCY)

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Location:


6. *Interpreter services* (check only if a public hearing is scheduled):

Interpreter services will be made available to hearing impaired persons, at no charge, upon written request to the agency contact designated in this notice.

## 7. Accessibility (check appropriate box only if a public hearing is scheduled):

All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Attached is a list of public hearing locations that are **not** reasonably accessible to persons with a mobility impairment. An explanation is submitted regarding diligent efforts made to provide accessible hearing sites.



## 8. Terms of rule (SELECT ONE SECTION):

A.  The full text of the rule is attached because it does not exceed 2,000 words.

B.  A summary of the rule is attached because the full text of the rule exceeds 2,000 words. Web posting of full text of such rule is not required [SAPA §202(1)(a)].

C.  Pursuant to SAPA §202(7)(b), the agency elects to print a description of the subject, purpose and substance of the rule as defined in SAPA §102(2)(a)(ii) [Rate Making]. Web posting of full text of such rule is not required [SAPA §202(1)(a)].

## 9. The text of the rule and any required statements and analyses may be obtained from:

Agency contact Honorable Kathleen Burgess, Secretary

Agency Name New York Public Service Commission

Office address Three Empire State Plaza, Agency Building 3

Albany, New York 12223

Telephone (518) 474-6530      E-mail: [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov)

## 10. Submit data, views or arguments to (complete only if different than previously named agency contact):

Agency contact \_\_\_\_\_

Agency name \_\_\_\_\_

Office address \_\_\_\_\_

Telephone \_\_\_\_\_      E-mail: \_\_\_\_\_

## 11. Public comment will be received until:

60 days after publication of this notice (MINIMUM public comment period).

5 days after the last scheduled public hearing required by statute (MINIMUM, with required hearing).

Other: (specify) \_\_\_\_\_.

12. A prior emergency rule making for this action was previously published in the \_\_\_\_\_ issue of the *Register*, I.D. No. \_\_\_\_\_.

## 13. Additional matter required by statute:

Yes (include below material required by statute).

No additional material required by statute.

14. **Regulatory Agenda** [See SAPA §202-d(1)]:

This action was a Regulatory Agenda item in the following issue of the *State Register*\_\_\_\_\_.

This action was not under consideration at the time this agency's Regulatory Agenda was submitted for publication in the *Register*.

Not applicable.

15. **Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement**

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

16. **PUBLIC SERVICE COMMISSION ONLY:**

SAPA NO. \_\_\_\_\_

**AGENCY CERTIFICATION (To be completed by the person who PREPARED the notice.)**

I have reviewed this form and the information submitted with it. The information contained in this notice is correct to the best of my knowledge.

I have reviewed Article 2 of SAPA and Parts 260 through 263 of 19 NYCRR, and I hereby certify that this notice complies with all applicable provisions.

Name \_\_\_\_\_ Signature \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ E-Mail \_\_\_\_\_

Date \_\_\_\_\_

**Please read before submitting this notice:**

1. Except for this form itself, all text must be typed in the prescribed format as described in the Department of State's Register procedures manual, *Rule Making in New York*.
2. Rule making notices, with any necessary attachments (in MS Word), should be e-filed via the Department of State website.

## **Attachment to SAPA Notice**

### **Proposed Action:**

The New York State Public Service Commission is considering whether to approve, modify, or reject, in whole or in part, a proposal by Rochester Gas and Electric Corporation (“RG&E”) to make various changes in the rates, charges, rules and regulations contained in RG&E’s Schedule for Gas Service – P.S.C. No. 16.

### **Statutory Authority under which the Rule is Proposed:**

Public Service Law Sections 66(12).

### **Subject of the Rule:**

Major gas rate filing.

### **Purpose of the Rule:**

To consider whether to approve, modify, or reject, in whole or in part, a proposal to increase annual base rate revenues for Rochester Gas and Electric Corporation by approximately \$6 million, and to make other revisions to its Schedule for Gas Service – P.S.C. Nos. 16.

### **Substance of Proposed Rule:**

The New York State Public Service Commission is considering whether to approve, modify, or reject, in whole or in part, a proposal to increase annual base rate revenues for Rochester Gas and Electric Corporation by approximately \$6 million, and make other revisions to its Schedule for Gas Service – P.S.C. No. 16.